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NEXTEC APPLICATIONS, INC.

REDACTED FOR  
PUBLIC FILING

CONTAINS CONFIDENTIAL INFORMATION  
TO BE FILED UNDER SEAL PURSUANT TO  
STIPULATED PROTECTIVE ORDER SO  
ORDERED JANUARY 7, 2008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
NEXTEC APPLICATIONS, INC.,  
a Georgia corporation,

Plaintiff,

v.

BROOKWOOD COMPANIES, INC.,  
a Delaware Corporation.

Defendant.  
-----X

ECF Case 07-CV-6901 (RJH)(THK)

DECLARATION OF CHARLES  
A. LeGRAND IN SUPPORT OF  
PLAINTIFF'S MOTION TO  
STRIKE THE 30(B)(6)  
DEPOSITION TESTIMONY OF  
ATLANTIC DIVING SUPPLY  
AND SECTIONS OF THE  
AFFIDAVIT OF AMY S. COYNE  
AND IN THE ALTERNATIVE  
REQUEST FOR LEAVE TO  
FILE A SUR-REPLY

**DECLARATION OF CHARLES A. LeGRAND**

I, Charles A. LeGrand, say and declare:

1. I am an attorney duly admitted before this Court and counsel for plaintiff Nextec Applications, Inc. in the above-captioned matter. I make the following statements of my own personal knowledge and would and could testify thereto if sworn as a witness at trial.

2. Attached as Exhibit 1 is a true and correct copy of an indemnification letter agreement between

3. Attached as Exhibit 2 is a true and correct copy of excerpts from the Deposition of [pages 18, 27-28, 40, 65].

I declare under penalty of perjury under the federal law of the United States that the foregoing is true and correct. Executed on September 5, 2008, at New York, New York.

  
\_\_\_\_\_  
Charles A. LeGrand

**REDACTED FOR  
PUBLIC FILING**

**EXHIBIT 1**

**EXHIBIT 1**

**FILED UNDER SEAL PURSUANT TO  
STIPULATED PROTECTIVE ORDER  
SO ORDERED JANUARY 7, 2008**

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**EXHIBIT 2**

•

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STIPULATED PROTECTIVE ORDER  
SO ORDERED JANUARY 7, 2008**